

HISTORIC PRESERVATION COMMISSION

Minutes

September 8, 2005
Salisbury, North Carolina

The Historic Preservation Commission for the city of Salisbury met in regular session on Thursday, September 8, 2005, in the Council Chambers at the City Hall, 217 S. Main St.

The meeting was called to order by the Chairman, Michael Young. He gave the purpose of the meeting and meeting procedures.

The following commission members introduced themselves to the visitors present: Raemi Evans, Ronald Fleming, Susan Hurt, Jeff Sowers, Kathy Walters, and Wayne Whitman.

Members absent: Mike Fuller and Anne Lyles

Request for Certificates of Appropriateness

H-45-05 **130 E. Liberty St.** – City of Salisbury, owner; Deb Young, applicant – Certificate of Appropriateness to add elevator tower at the back of the Police Department which will enable the 2nd floor of the existing building to be handicap accessible; also approval of brick for the new building

Commission member Jeff Sowers was excused from his seat for the hearing of this request.

Deb Young, City of Salisbury Facilities Manager, was sworn to give testimony for the request.

She informed the Commission that an addition and interior renovations at the Police Department is now underway which will include an elevator at the back of the building providing handicap accessibility to the 2nd floor. As staff presented slides, Ms. Young testified that an existing cooling tower would be relocated slightly to the left of its present location for placement of the elevator tower. Additional slides showed the elevator alternate, the actual footprint of elevator tower: vestibule, elevator access to 2nd floor, egress from elevator area into existing garage; also, illustration of interior changes to building. Slides were also shown of the tower's elevations.

Ms. Young testified that the proposed windows will be similar in style and design to the already approved windows for the front façade of the new addition. A sample was presented.

Ms. Young further testified that KKA was successful in locating a brick very similar in pattern and color to the existing facility. A sample was presented.

Michael Young voiced his concern of the air conditioning tower that is to be relocated. He asked if there was any possibility of moving it to a location not facing Liberty Street.

From the slides Ms. Young, showed that relocation would be impossible because of property lines, stating “we are sort of landlocked.”

In response to Michael Young’s question as to screening the cooling tower, Ms. Young stated that if screening is required there would need to be some consideration given to ventilation for the tower because of the space requirement on either side of it.

Kathy Walters read the following guideline from the Non-Residential Historic District Design Guidelines (page 43) pertaining to screening: *Install mechanical equipment, including heating and air conditioning units, in areas and spaces requiring the least amount of alteration to the appearance and the materials of the building such as roofs. Screen the equipment from view.*

Chairman Michael Young suggested that the application be approved provided they come back with a screening option.

In response to a question pertaining to different colors of the cooling tower, Jeff Sowers said if other colors are available they would try to get the color preferred.

Kathy Walters suggested a brick color or black.

There was no one present to speak in support or opposition to the request.

Kathy Walters made the following motion: “I move that the Commission find the following facts concerning Application #H-45-05 – that Deb Young, applicant for the City of Salisbury, owner of 130 E. Liberty Street, appeared before the Commission and sought a Certificate of Appropriateness to add an elevator tower at the back of the Police Department, making the second floor of the existing building handicap accessible, and asking for the approval of brick for the new addition, that Jeff Sowers appeared before the Commission to provide clarification on an issue and no one appeared to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 3 – New Construction and Additions – New Construction, pages 46-49, guidelines 1-16, and Chapter 2 – Changes to Buildings – Safety and Accessibility, pages 41, guidelines 1-6 of the Non-Residential Historic District Design Guidelines; there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-45-05 be granted to Deb Young, applicant for the City of Salisbury, owner of 130 E. Liberty St., to make the changes detailed in the application, with the following changes agreed to by the applicant: that they will return before the Commission for approval of the appearance or screening of the cooling unit.”

Ronald Fleming seconded the motion; all members present voted AYE.

H-46-05 **329 N. Main St.** – Brown Investment Co., Inc., owner; James & Kay Earnhardt, agent - Certificate of Appropriateness for addition of an awning that would cover the front door and several feet on each side of the building; color, Taupe

Kay Earnhardt was sworn to give testimony for the request.

Staff presented slides.

Ms. Earnhardt testified that the awning requested is desired to help decorate and to help with the sunlight on the inside. The awning, she said, would extend from the corner of the brick to the corner of the building, covering the brick area, the double doors and the double windows to the right. It will be burgundy in color with a beige stripe matching the stripes of the building above. A sample was presented.

In response to a question from Michael Young who asked if they had considered extending the awning all across the front of the building, Ms. Earnhardt said that idea had been considered; however, after speaking with members of the Community Appearance Commission, the preference was that it not be. She said a request would be made at a later time in the near future to wrap the awning around to the other side to cover the 4 double windows on that side.

Randy Hemann stated that the awning, at its proposed location, would also be used to cover some tables and chairs that will be located on the outside.

In referring to the signage and awning guidelines, Jeff Sowers stated that since the building has no historical character or architectural features he would not be opposed to the request as it is. Michael Young agreed.

Ms. Earnhardt informed the Commission that removable planters would be placed in front of the building.

Randy Hemann spoke in support of the request; there was no one present to speak in opposition.

Kathy Walters made the following motion: “I move that the Commission find the following facts concerning Application #H-46-05 – that Kay Earnhardt, agent for Rowan Investment Co., Inc., owner of 329 N. Main Street, appeared before the Commission and sought a Certificate of Appropriateness to add an awning covering the front door and extending several feet on each side of the building; that Randy Hemann appeared before the Commission to support this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4, Site Features and District Setting – Signage and Awnings, pages 54-56, Awning guidelines 1-5 of the

Non-Residential Historic District Design Guidelines; mitigating factors include the fact that this is a contemporary building with no outstanding historic architectural features; therefore, I further move that a Certificate of Appropriateness for Application #H-46-05 be granted to Kay Earnhardt, agent for Rowan Investment Co., Inc., owner of 329 N. Main Street to make the changes detailed in the application.”

Susan Hurt seconded the motion; all members presented voted AYE.

H-47-05 313 W. Fisher St. – Richard D. Reamer, owner – Certificate of Appropriateness to allow tarp over parking place in rear to protect vehicle from birds and berries from neighbor’s trees; tarp is not a permanent installation

Kenny Hayes, tenant, was sworn to give testimony for the request.

Staff presented slides. From the slides Mr. Hayes showed the house where he lives, the alleyway that goes beside his house, and the tarp that protects his car.

Mr. Hayes testified that when he first moved into the house he parked on the street; however, twice in the first year his windows were broken. He then began parking in the yard, but his windows would be so covered with bird droppings from the Crepe Myrtle trees that he decided to try the tarp. The first tarp was blue but he later changed to tan because that color blended in with the bark on the trees.

Mr. Hayes said he did not want to go back to parking on the street because two of his neighbors have had their car windows broken this year, and there have been others in the ten years he has lived there.

In response to a question from the Chair relative to his back yard, Mr. Hayes stated that the back yard is a parking space, which is a cement slab that was already there. He said there was not enough room for a permanent structure.

Mr. Hayes testified that the tarp is not visible because of the thickness of the branches on the tree even when the leaves are gone. He said it is only temporary, not permanent.

Janet Gapen informed the Commission that she could not find anything in the guidelines pertaining to something temporary as was being requested by Mr. Hayes.

In response to a question from Kathy Walters who asked if there had been a complaint about the tarp, Mr. Hayes said, “no one has talked to me;” however, Janet Gapen said a neighbor had complained. Mr. Hayes further stated that he has had the tarp for 8 years and did not know that there was any problem with it until he was informed by his landlord. He said the tarp had been fastened to a fence until about 6 months ago when he decided to attach it to posts.

Michael Young said he did not think something that had been in place for 8-10 years could be considered temporary. He said sometimes things that can be removable are confused with temporary.

Kathy Walters said any structure has to be built with materials that fall within the guidelines.

Michael Young said if the tarp was there temporarily, for example, while a garage was being built there would not be a problem with it, but the tarp is being used as if it was a permanent structure. He then informed Mr. Hayes that since the Commission is not sure where this falls in the guidelines, he would like to table until the next meeting.

Kathy Walters made the motion to table. Susan Hurt seconded the motion; all members present voted AYE.

H-48-05 302 W. Monroe St. - Daniel & Christy Almazan, owner -
Certificate of Appropriateness for new concrete drive on south west side of property

Daniel Almazan was sworn to give testimony for the request.

Mr. Almazan testified that on the southwest side of the property, he would like to put in a concrete driveway that would match the orientation and size of the 2 adjoining properties on the 300 block of W. Monroe Street.

Mr. Almazan said there is no side yard, nor ample space to locate the driveway in the rear property because of an existing alley. In response to a question from the Chair, he testified that the alley has never been closed, but is not used as an alley.

Michael Young read the driveway and off-street parking guidelines from the Residential Design Guidelines.

Mr. Almazan further testified that the driveway would be located directly in front of an existing air conditioning unit, with a depth of approximately 50 ft., enough for 2 cars to park. In response to a question from the Chair, he stated that the air conditioning unit, an existing rear patio, and 2 trees are causing obstructions that would prevent the cars from being parked further into the back yard.

Kathy Walters suggested the possibility of locating the driveway in the back off of S. Jackson or cutting a driveway off S. Jackson St; however, Mr. Almazan said both had been looked at and neither were workable options.

Mr. Almazan explained that since the house has been on the market, he has come to realize from prospective buyers that a back yard and ample parking are desirable.

Commission member Susan Hurt said her concern is that a view from down the street would appear as if 2 cars were parked in the front yard.

Kathy Walters stated that granting the request would be in violation of guideline #7 which reads: *It is not appropriate to locate off-street parking in the side yard if the area would be visible from the street or the front yard.*

There was no one present to speak in support or opposition to the request.

Michael Young suggested that Mr. Almazan do further investigation of opening the back alley. He said he could not support the request because of guideline 7, and also because of the fact that parking is available on Jackson Street.

Janet Gapen informed Mr. Almazan that he would need to contact Wendy Brindle to find out if an alley could be closed, and if so, how it could be used.

Susan Hurt made the following motion: “I move that the Commission find the following facts concerning Application #H-48-05 – that Daniel Almazan, owner of 302 W. Monroe St. appeared before the Commission and sought a Certificate of Appropriateness to install a new concrete drive on the southwest side of the property; that no one appeared before the Commission to support or oppose this request, this request should not be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 4 – Site Features and District Setting – Driveways and Off-street Parking, pages 58-59, with specific reference to guidelines 6 and 7 of the Residential Historic District Design Guidelines, there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-48-05 be denied to Daniel Almazan, owner of 302 W. Monroe St. to make the changes detailed in the application.”

Kathy Walters seconded the motion; all members present voted AYE.

H-49-05 102 S. Main St. – Downtown Salisbury, Inc., owner ; Randy Hemann, applicant - Certificate of Appropriateness to remove first floor storefront and rebuild as per plans, remove shutters, repair existing windows with like material, and repaint storefront

Randy Hemann was sworn to give testimony for the request.

Staff presented slides.

Mr. Hemann informed the Commission that he was representing Downtown Salisbury, Inc., who has recently purchased the building at 102 S. Main St.. He said 102 is the middle of 3 sections of the building.

Mr. Hemann informed the Commission that the proposed plan was devised after hearing the input from DRAC.

He presented pictures the proposed drawings and testified that everything beginning at the 2nd story window down would be stripped off.

He said a typical storefront is planned, with windows on both sides and double doors in the center recessed at an angle. The building, he said, does not have access to the rear so a stairwell will be located in the front behind the display window with an entrance door on the right side. The material will be wood.

Mr. Hemann said there is no evidence that shutters were on the building originally so the shutters would be removed. The existing windows will be restored. The front doors will be stained and the side door will be painted to match the panel on the opposite side.

In response to a question from the Chair, Mr. Hemann said it appears that the existing beam is intact, and if so, will be left exposed.

Mr. Hemann further testified that although it was not shown in the front elevation, the awnings would fit within the window opening. He informed the Commission that he had been informed by Mike Fuller that he might have the stained glass that was originally above the doors of the building. If he does, the glass would be put back in.

Paint colors and awning samples will be presented for approval at a later time.

There was no one present to speak in support or opposition of the request.

Jeff Sowers made the following motion. "I move that the Commission find the following facts concerning Application #H-49-05 – that Randy Hemann, applicant for Downtown Salisbury, Inc., owner of 102 S. Main St., appeared before the Commission and sought a Certificate of Appropriateness to remove the first floor storefront and rebuild, remove shutters, repair existing windows with like material, and repaint storefront; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Storefronts, pages 20-22, guidelines 1-7; Windows and Doors, pages 30-31, guidelines 1-4 and 6-8; and Paint, pages 38-40, guidelines 1-10 of the Non-Residential Historic District Design Guidelines; there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-49-05 be granted to Randy Hemann, applicant for Downtown Salisbury, Inc., owner of 102 S. Main Street, to make the changes detailed in the application."

Raemi Evans seconded the motion; all members present voted AYE.

H-50-05 Corner of Lee & Kerr St. – Rowan Investment, owner; Deb Young, applicant – Certificate of Appropriateness for addition of lights to existing pole to illuminate temporary parking lot used by Police Department during construction

Deb Young, already sworn came forward to present the request.

Ms. Young testified that during the construction phase at the Police Department, which would probably be about 14 months, the police cars will be parked in the vacated lot located behind the Police Department.

She stated that because security is an issue, additional lighting would be added to an existing pole that was recommended by Duke Power officials as the best location.

Staff presented slides to show the pole where the light would be located, as well as different views of the lot.

Ms. Young stated that 2 lights currently located on an existing at the corner of Lee & Kerr will be adjusted in the direction needed to illuminate the lot. The pole with the added light will be located in the back corner to illuminate the property in the other directions.

Michael Young inquired about the use of the existing pole, identified as #2, on Kerr St. However, that pole, he stated, would be insufficient for additional lighting because it already has a transformer and a lot of other lines on it.

Michael Young stated that in his opinion, it would be more desirable to have the light go from the street toward the property rather than from the property out to the street, which is what would happen on the pole proposed. Ms. Young said that Duke Power would adjust the lights so they would not be blinding to traffic. She presented a slide to show the 250-watt light that would be placed on the pole.

Michael Young asked for verification of whether the lights would be considered temporary until the end of construction or permanent. Ms. Young said the lights would be on Duke Power's 3-year contract, payable by the city monthly, until construction is completed, and then the lights would become payable to Duke Power by the property owner. She said, "I will not say they are temporary." She said she did not know if the property owner would keep them, but thought that he probably would.

In response to a question from Ronald Fleming who referred to the lighting guideline #5 which reads: *introduce directional lighting that does not spill onto adjacent properties; exterior lighting in parking lots should be directed into the parking area itself*, Ms. Young said the lighting should not spill outside of the area where it is intended.

Kathy Walters inquired as to whether there were other style options. Ms. Young stated that the other options for pole lighting are down lighting where a light is suspended from a pole that would illuminate only what is directly under it. But in this situation, she said, that would not allow the security needed for the remainder of the lot.

Susan Hurt asked if the Commission would have the option to approve only through the construction and then have the property owner to come back to the Commission for approval if he chooses to keep the lights.

Janet Gapen said that was an option that the Commission could request.

There was no one present to speak in support or opposition to the request.

Susan Hurt made the following motion: “I move that the Commission find the following facts concerning Application #H-50-05 – that Deb Young, applicant for Rowan Investment, Inc., owner of the corner of North Lee and E. Liberty Street, appeared before the Commission and sought a Certificate of Appropriateness to add lights to the existing pole to illuminate the temporary parking lot used by the Salisbury Police Department during construction of the Police Department addition; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 4 – Site Features and District Setting – Lighting, page 61, guidelines 1-5 of the Non-Residential Historic District Design Guidelines; no mitigating factors; therefore, I further move that a Certificate of Appropriateness for H-50-05 be granted to Deb Young, applicant for Rowan Investment, Inc., owner of the corner of N. Lee and E. Liberty Street, to make the changes detailed in the application with the following changes agreed to by the applicant: if the owner wants to keep the lights after the 3-year contract, he will need to come back before the Commission for approval.”

Ronald Fleming seconded the motion; all members present voted AYE.

Committee Reports

Minor works: The minor works approval list was approved as presented without question.

Demolition: 117, 119, 121 West Fisher Street

Janet Gapen presented a copy of the ad that had appeared in The Salisbury Post as information concerning the proposed demolition of 117, 119 and 121 W. Fisher St. The ad appeared in the paper on Wednesday, September 14th and will run again on Sunday, September 18th.

Ms. Gapen will email the ad to all “our preservation friends” as suggested by Michael Young.

The report from the last committee meeting was reviewed which detailed the plans that were discussed for the September 19th public hearing. Ms. Gapen informed the Commission that Karen Alexander and David Bergstone have been contacted and are interested in speaking at the hearing. Gray Stout will also be contacted and Susan Hurt is in the process of contacting other neighborhood leaders.

Michael Young suggested that a special invitation be sent to the church.

Ms. Gapen informed the Commission that she has gotten hesitations from some business leaders who are somewhat uncomfortable in speaking publicly concerning the situation.

She said they would rather stay in the background and hope the demolition does not happen.

Michael Young said, “I realize that it is an uncomfortable thing when you have friends who attend that church, and you have ties to that church.” He asked that Commission members try to get as many people as possible who are feeling to publicly speak.

Janet Gapen announced that the committee would meet again on Tuesday, the 13th to finalize the agenda.

502 S. Church St.

Janet Gapen informed Commission members of a meeting she had been in with the Mayor and other Land Management staff in reference to the property owner at 502 S. Church St.. The citizen had written a letter to the Salisbury Post and the Mayor with complaints because he was notified of his failure to get approval for vinyl shutters he had placed on his house.

Ms. Gapen said that he admitted that the fact of just having a “bad” day, along with some other concerns, influenced him to write the letters. She said it appeared that he left the meeting pleased.

Kathy Walters noted that 502 S. Church St. is one of the two houses of 2 blocks on Church St. that is in the historic district. Commission members agreed that it can be problematic when a street is not fully covered.

Zoning Text Amendment for downtown signage

Janet Gapen informed the Commission that permanent banners were approved for the Downtown district; however, the request for signage on the Tractor Building was not recommended for approval.

Preservation NC Conference

The Preservation NC Conference will be held October 26th through the 29th at the Loray Mill in Gastonia. Ms. Gapen will distribute the agenda and costs as soon as she receives it. She asked that members who might be interested in attending to let her know.

Historic District Design Guidelines

In response to a question from Michael Young who asked if Design Guidelines were available to persons who requested them, Ms. Gapen informed the Commission that the guidelines can be copied upon request, and are also available on the city’s website.

Minutes

The August minutes were approved as presented.

Adjournment

With no other business to come before the Commission, the meeting was adjourned.

Michael Young, Chair

Judy Jordan, Secretary